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Attorney Docket No. 01710/LH

**IN THE UNITED STATES PATENT  
AND TRADEMARK OFFICE**

Applicant(s): Tomio ENDO et al  
Serial No. : 10/002,102  
Filed : November 2, 2001  
For : PATTERN FORMING MEMBER  
APPLIED TO SECTIONING IMAGE  
OBSERVATION APPARATUS AND  
SECTIONING IMAGE OBSERVATION  
APPARATUS USING THEM  
Art Unit : 2872  
Examiner :

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Date of Deposit: November 21, 2002  
I hereby certify that this paper is  
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Patents, Washington, D.C. 20231

*[Signature]*  
S. Dianne Franklin

In the event that this Paper is late  
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this as a Petition for the requisite  
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**INFORMATION DISCLOSURE STATEMENT  
WITH STATEMENT UNDER 37 C.F.R. 1.97(e)  
AND STATEMENT UNDER 37 CFR 1.704(d)**

Commissioner for Patents  
Washington, D.C. 20231

S I R :

Submitted herewith are the following:

- (1) Copy of Search Report issued in the counterpart  
European application;
- (2) Copies of the cited publications; and
- (3) Form PTO/SB/08A. It is requested that an initialed  
copy of the Form PTO/SB/08A be returned to indicate  
that the publications listed therein have been  
considered and made of record.

Said communication is in English, thereby satisfying the  
requirements for a concise explanation of relevance for any  
non-English language publications cited therein  
(MPEP 609 III A(3)).

**STATEMENT UNDER 37 CFR 1.97(e) (1)**

Each item of information contained in this Information  
Disclosure Statement was first cited in any communication from a  
foreign patent office in a counterpart foreign application not  
more than three months prior to the filing of the present

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Information Disclosure Statement. Said Communication bears a mailing date of November 8, 2002. Therefore, the filing of this Information Disclosure Statement is timely under the provisions of 37 CFR 1.97(e) and does not require a fee.

**STATEMENT UNDER 37 CFR 1.704(d)**

Each item of information contained in this Information Disclosure Statement was cited in said communication from a foreign patent office in a counterpart application, and this communication was not received by any individual designated in §1.56(c) more than thirty days prior to the filing of the present Information Disclosure Statement.

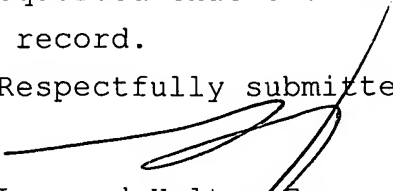
As seen from the listing of family members in the European Search Report, DE 199 22 293 A1 corresponds to USP 6,320,185. A copy of USP 6, 320,185 is submitted herewith and this U.S. patent is listed on the attached Form PTO/SB/08A.

WO 97/31282, which is in the English language, corresponds to USP 6,144,489. A copy of USP 6,144,489 is also submitted herewith and this U.S. patent is also listed on the attached Form PTO/SB/08A.

According to the listing of family members in the European Search Report, the other foreign language documents cited in the European Search Report do not have U.S. patent equivalents.

It is respectfully requested that the attached publications) be considered and made of record.

Respectfully submitted,

  
Leonard Holtz, Esq.  
Reg. No. 22,974

Dated: November 21, 2002

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